

239 U. S.

Opinion of the Court.

ROGERS v. HENNEPIN COUNTY.

APPEAL FROM THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF MINNESOTA.

No. 411. Argued December 6, 1915.—Decided January 17, 1916.

In an action brought by a number of complainants to restrain the collection of a tax separately assessed against each for under forty dollars, the aggregate exceeding the jurisdictional amount, *held* that the District Court did not have jurisdiction, as the amount as to each complainant was the sum charged against him, and demands against all could not be aggregated in order to confer jurisdiction. *Wheless v. St. Louis*, 180 U. S. 379.

THE facts, which involve the method of determining the amount in controversy in order to give jurisdiction to the District Court, are stated in the opinion.

Mr. H. V. Mercer for appellants.

Mr. Lyndon A. Smith, Attorney General of the State of Minnesota, with whom *Mr. William J. Stevens* and *Mr. John M. Rees* were on the brief, for appellees.

MR. JUSTICE McREYNOLDS delivered the opinion of the court.

Three complainants, claiming to represent themselves and others like situated (numbering altogether 550), instituted this proceeding in equity against Hennepin County, Minnesota, and certain of its officers, in the District Court of the United States, seeking an injunction to prevent collection of a tax under forty dollars assessed against each of them, for the year 1913, on account of his membership in the Minneapolis Chamber of Commerce.

Defendants challenged the court's power to entertain the cause upon the ground that the amount in controversy as to each complainant is the sum charged against him and demands against all cannot be aggregated in order to confer jurisdiction. The District Court sustained this objection upon authority of *Wheless v. St. Louis*, 180 U. S. 379, and dismissed the bill. It committed no error in so doing, and its judgment is

Affirmed.